

FILED 06 SEP 27 11:09 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PEGGY IDONAS,)	
)	
Plaintiff,)	CV 06-1183-CO
)	
v.)	ORDER
)	
KLAMATH COUNTY,)	
)	
Defendant.)	

PANNER, J.

On August 31, 2006, Magistrate Judge Cooney filed his Findings and Recommendation (docket # 9), *sua sponte* recommending that this action be remanded to state court. The action was removed to federal court by Defendant though no apparent basis for the exercise of federal jurisdiction appears on the face of the Complaint nor were facts establishing such jurisdiction stated in the notice of removal. The matter is now before me for review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). I find no error.

Conclusion

Magistrate Judge Cooney's Findings and Recommendation

(docket # 9) are adopted. This action is remanded to state court.

IT IS SO ORDERED.

DATED this 27 day of September, 2006.

A handwritten signature in black ink, appearing to read "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE